

DETAILED ACTION

1. Applicant's amendments and remarks, received on March 23rd, 2010, have been fully considered by the examiner. Claims 15-18 and 21-24 are currently pending with claims 15-18 and 21 amended and claims 1-14 and 19-20 cancelled. Previously, claims 22-24 were indicated as allowed over the prior art. Applicant's amendments to the claims obviate the previously filed rejection of the claims under 35 U.S.C 112 second paragraph. The following is a complete response to the March 23rd, 2010 communication.

Allowable Subject Matter

2. Claims 15-18 and 21-24 are allowed.

3. The following is an examiner's statement of reasons for allowance:

While Champeau in view of the disclosure of Mulier et al (US Pat. No. 6,537,248 B2) represents the closest prior art of record, neither discloses or provides for a combination which provides for each of the limitations presented in instant claims 21 and 22. With specific regard to claim 21, in light of Applicant's amendment to the claim, Applicant has positively tied the bipolar electrodes to a bipolar source of energy and the monopolar electrodes to a monopolar source of energy. Previously, the language of the claim did not require such connection and any device with electrodes that were capable of being so attached read on the claim language. As a result, none of the prior art of record discloses or fairly suggests alone or in combination with any other piece of art, the structural arrangement of monopolar and bipolar functioning electrodes connected to respective sources of electrosurgical energy as claimed along with two independently controllable pumps, a temperature acquisition unit and an RF generator.

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Additionally, in view of applicant's remarks filed October 20th, 2008 regarding claim 22, none of the prior art of record sets forth a method of radiofrequency ablation wherein the electrical power is first supplied to the monopolar electrodes to seal the puncture caused by the catheter such that the tissue forms a seal with the catheter. The prior art of record additionally fails to provide for the perfusing of saline into the now sealed portion of tissue and the subsequent supply of bipolar RF energy in order to effectuate thermal ablation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RONALD HUPCZEY, JR whose telephone number is (571)270-5534. The examiner can normally be reached on Monday - Friday, 9 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda Dvorak can be reached on 571-272-4764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ronald J. Hupczey/
Examiner, Art Unit 3739

/Michael Peffley/
Primary Examiner, Art Unit 3739

RJH